On November 3, 2020, Ventura County voters passed Measure O which, in general, allows for the cultivation of cannabis and ancillary activities in pre-existing greenhouses and other indoor structures on land zoned agricultural, industrial, and commercial on premises that are 1,200 feet away from sensitive uses such as schools, day care centers, youth centers, parks, drug rehabilitation centers, or residential neighborhoods within the unincorporated area of the county in existence as of March 4, 2020. This document provides answers to frequently asked questions received since the passage of the measure. Updates will be provided as answers become available or additional questions from the public arise. New sections and updates to previous FAQ answers will be highlighted below.

### 1,200-foot Distance Requirement from Sensitive Uses

**Q1. How is the 1,200-foot radius measured for sensitive uses?**

A1. The distance will be measured as described in Measure O - on a straight line from the edge of the land use permit boundary to the parcel line of the sensitive use. However, in no case shall the distance be less than if measured using the method described in State law.

**Q2. Are the only affected residential designations (defined as "residential neighborhood") for the 1,200' setback are those considered urban zones? Measure O (Section 8104-3) identifies R1, R2, RPD, RHD, RES, and RMU zones. Rural residential zones, such as RA, RE, and RO are not part of the 1200' setback?**

A2. Yes. The required distance from residential zones only applies to R1, R2, RPD, RHD, RES, and RMU residential zones existing as of March 4, 2020.

**Q3. For the purposes of determining the 1200' setback, "premises" is defined as the "designated structure and land". To determine the setback in the instance where a greenhouse is in the center of a parcel, are we measuring from the property line or the greenhouse structure to the property line of a residence?**

A3. “Premises” is defined in Measure O as “the designated structure or structures and land” where the activity is taking place. The boundary identifying this area will be the permit area and the “premises” for the purpose of measuring the distance to sensitive receptors.

### Structures

**Q4. What does “pre-existing” greenhouse or indoor facility mean as referenced in Measure O?**
A4. “Pre-existing” means that a greenhouse or indoor facility was in existence and permitted for use on March 4, 2020.

Q5. If an existing facility has an active CUP for agricultural production using greenhouses (over 20,000 square feet), will a modification be required to grow cannabis? If so, what level (Permit Adjustment, Minor Modification, etc.?)

A5. The type of modification, if any, will depend on the level of change from the active CUP. Insignificant changes/deviations from the CUP may require no action at all. Small changes/deviations may require only a PAJ. And larger, more significant revisions may require a minor or major modification. Note that any such required modification would be in addition to the permitting requirements imposed by Measure O.

Q6. Will greenhouses constructed under ministerial approval (i.e. a Zoning Clearance for <20,000 square feet) require any other Planning Division approvals to grow cannabis?

A6. As established within Measure O, a Zoning Clearance for Cannabis Cultivation will be required prior to issuance of a County Business License.

Q7. Will repairs/retrofitting of pre-existing greenhouses for cannabis trigger the need for permit approval (other than typical activities that would normally require a standard building permit such as electrical modifications, etc.)?

A7. Typically, repairs of pre-existing greenhouses would not require additional land use permits, although they would likely require building permits. Retrofitting pre-existing greenhouses may or may not require additional land use permitting, depending on the extent of the work. However, in most instances, retrofitting will require additional building permits.

Q8. Can an existing greenhouse on a parcel that doesn’t meet the 1200’ setback be relocated to another property that would meet the setback and the greenhouse be reconstructed?

A8. No. A “pre-existing” greenhouse is one that was permitted for use in its current location as of March 4, 2020.

Business License Application, Fees, and Checklists

Q9. Is a draft permit application available?

A9. The application is currently under development and will be published as soon as it is complete prior to December 31st.
Q10. Measure O says a checklist will be developed for zoning clearance, when will that be made available?

A10. The checklist is currently under development and will be published as soon as it is complete prior to December 31st.

Q11. Measure O says the County Executive Office will develop a checklist as well for applicants, when will that be made available?

A11. The checklist is currently under development and will be published as soon as it is complete prior to December 31st.

Q12. Do all employees need to take and pass a background check?

A12. Yes, all employees will need to take and pass a background check in accordance with Measure O.

Q13. What are the application fees for each license type?

A13. The application fees are being developed and will be published prior to December 31st.

Q14. Measure O says that one element in the application to the County is a copy of the state license. How is that possible given that the state will not issue a license unless the local jurisdiction provides authorization for the applicant?

A14. The Measure requires that a copy of the permit or the application for the State permit must be attached. It is anticipated that only the State application will be available for attachment to the County Business License application.

Other Questions

Q15. The County will amend its Non-Coastal Zoning Ordinance (NCZO) to include the language in Measure O. Will there be public hearings before adoption?

A15. The County expects to have the ordinance codification complete in mid-December. No public hearings are required.

Q16. What can an applicant do to start preparing for the January 1 submission?

A16. The application packets are currently being developed. Until they are available, it is recommended potential applicants review the language in Measure O itself and begin collecting the information and items that the Measure requires be part of the application.

Q17: Are there specific areas of the County unincorporated area where cannabis cultivation is allowed?
A17. Yes, commercial cannabis cultivation can be permitted only within three specific zones identified within the County’s Non-Coastal Zoning Ordinance. Those zones are AE (Agricultural Exclusive), M2 (Limited Industrial) and M3 (General Industrial). An interactive non-coastal zoning map can be found at https://gis.ventura.org/CountyView/. The commercial cultivation of cannabis is prohibited within the Coastal Zone.

Q18: Will it be first come, first serve or will the County review all applications at the same time?

A18: First come, first served for 500 acres of cultivation and 100 acres for nursery.

Q19: Is there a list of parcels that qualify under Measure O?

A19: No, there is no list of parcels that qualify under Measure O. All applicants will need to create and submit their own map illustrating that the parcel they wish to permit meets the requirements of the Measure. County staff will then review the submittal.

While a preliminary map identifying parcels was included in the August 28, 2020 impact report, it was noted on page 8 of the report:

“All mapping data used to conduct this analysis is preliminary and should not be relied upon for making any determination as to whether a particular parcel, location or structure would ultimately be allowable for any commercial cannabis activity. Any such determination would likely have to be made on a case-by-case basis as a part of the zoning clearance process.”

Q20: When does the 60-day approval timeline start?

A20: The review start date to meet the 60-day approval timeline will not commence until the County Executive Office has received all the required documents, information, and forms, including the land use zoning clearance and state cannabis licenses.

For additional information, please visit https://www.ventura.org/cannabis.